

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.	:	10/628,424	Confirmation No.:	5300
Applicant	:	Jeffrey A. Read		
Filed	:	07/29/2003		
TC/A.U.	:	1795		
Examiner	:	Rhee, Jane J.		
Docket	:	ARL 01-37		
Customer No.	:	21364 Office of Command Counsel		
		U.S. Army Materiel Command		

For: ELECTROLYTE FOR METAL-OXYGEN BATTERY AND METHOD FOR ITS PREPARATION

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

STATEMENT OF SUBSTANCE OF THE SEPTEMBER 9, 2008 INTERVIEW

Sir:

This communication is responsive to the Interview Summary mailed September 19, 2008.

On September 9, 2008, the undersigned, on behalf of the inventor, scheduled a personal interview with Examiner Rhee in order to have the inventor, Dr. Read, discuss with the Examiner, how the invention was distinguishable over the applied prior art. Prior to the scheduled interview, Examiner Rhee called the undersigned and indicated to him that based upon her review of the September 4, 2008 Request for Reconsideration, perhaps an interview was unnecessary. Upon further inquiry, Examiner Rhee indicated that she would review the references on the recently submitted Information Disclosure Statement to see if any of those references were material to the claimed invention, and then make a decision as to the allowability of the claims.

It was the undersigned's understanding, that unless an art rejection could be made based upon the references in the Information Disclosure Statement, the claims would be allowed. Based upon the conversation, the scheduled personal interview was cancelled by the undersigned.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. The Director is hereby authorized to charge any additional fees or underpayments under 37 C.F.R. § 1.16 & 1.17; and credit any overpayments to Deposit Account No. **19-2201** held in the name of U.S. Army Materiel Command.

Respectfully submitted,
Intellectual Property Counsel
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